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DOCKET NO.: TJU-2290**PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

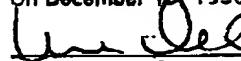
In re application of:
Waldman, S.

Serial No.: **09/046,178**Group Art Unit: **1642**Filed: **March 23, 1998**Examiner: **T. Scheiner**

For: **METHODS OF AND KITS AND COMPOSITIONS FOR DIAGNOSING
COLORECTAL TUMORS AND METASTASIS THEREOF**

Assistant Commissioner for
Patents
Washington, D.C. 20231

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I hereby certify that this paper is being facsimile
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On December 10, 1998


 Mark DeLuca, Registration No. 33,229

Dear Sir:

SUPPLEMENTAL RESPONSE

This supplemental response is being filed subsequent to Applicant's amendment filed September 14, 1998 which was fully responsive to the Official Action dated May 13, 1998 for the above-identified patent application. Provided herewith are two (2) terminal disclaimer documents: one which refers to U.S. Patent No. 5,601,990; and one which refers to U.S. Patent No. 5,731,159.

Claims 9-24 are in the application.

In the Official Action dated May 13, 1998, claims 9-24 were rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1-5 of related U.S. Patent No. 5,601,990 and claims 1-8 of related U.S. Patent No. 5,731,159.

In the response filed September 14, 1998, Applicant indicated that upon indication that claims 9-24 are otherwise patentable, Applicant would file a Terminal Disclaimer to obviate the rejection.